

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA : Hon. Joel Schneider, USMJ

v. : Mag. No. 19-2011

ANDREW NICHOLAS :

**ORDER FOR CONTINUANCE**

This matter having come before the Court on the joint application of Craig Carpenito, United States Attorney for the District of New Jersey (Martha K. Nye, Assistant U.S. Attorney, appearing), and defendant Andrew Nicholas (Christopher O'Malley, Esq., appearing), for an order granting a continuance of the proceedings in the above-captioned matter from the date this Order is signed through and including August 9, 2019, to permit the defendant and his counsel time to review informal discovery previously provided, and to engage in plea negotiations, if the defendant desires to do so; the defendant being aware that he has the right to have the matter submitted to a grand jury within thirty days of the date of his initial appearance pursuant to Title 18, United States Code, Section 3161(b); the defendant having consented to this continuance; there having been no prior continuances; and defendant having waived his right to a speedy trial, and for good cause shown:

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

(1) The defendant and his counsel have expressed a desire to review informal discovery materials provided by the United States, to confer and to discuss how to proceed;

- (2) Plea negotiations are anticipated, and both the United States and the defendant desire additional time to negotiate a plea agreement, which would render any grand jury proceedings and any subsequent trial of this matter unnecessary;
- (3) The defendant has consented to the continuance; and
- (4) The granting of a continuance will likely conserve judicial resources; and
- (5) Pursuant to Title 18, United States Code, Sections 3161(h)(1)(A) and 3161(h)(7)(A), the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.

IT IS, therefore, on this 31<sup>st</sup> day of May, 2019,

ORDERED that this action be, and hereby is, continued from the date of the entry of this Order to and including August 9, 2019, and it is further

ORDERED that the period from the date of the entry of this Order through and including August 9, 2019, shall be excludable in computing time under the Speedy Trial Act of 1974.

  
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HON JOEL SCHNEIDER  
United States Magistrate Judge

Seen and agreed to by:

s/ Martha K. Nye

Martha K. Nye

Assistant U.S. Attorney



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Christopher O'Malley, Esq.  
Counsel for Defendant